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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 UNITED STATES OF AMERICA,

No. CR 05-0324 MMC

12 Plaintiff,

13 v.

**ORDER DENYING DEFENDANT'S  
MOTION TO ENSURE ADEQUATE  
JUROR COMPENSATION  
(DEFENDANT'S TRIAL MOTION NO. 46)**

14 DENNIS CYRUS, JR.,

15 Defendant  
\_\_\_\_\_ /

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17 Before the Court is defendant Dennis Cyrus, Jr.'s "Motion to Ensure Adequate Juror  
18 Compensation," filed September 1, 2008. The United States has filed opposition.  
19 Defendant has not filed a reply. Having read and considered the papers filed in support of  
20 and in opposition to the motion, the Court finds, for the reasons stated by the United  
21 States, that defendant has failed to show that application of 28 U.S.C. § 1871(b) to the  
22 venire herein would deprive defendant of his constitutional rights under the Fifth, Sixth,  
23 and/or Eighth Amendments.

24 Accordingly, the motion is hereby DENIED.

25 **IT IS SO ORDERED.**

26 Dated: November 5, 2008

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MAXINE M. CHESNEY  
United States District Judge  
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